

The Little Traverse Bay Bands of Odawa Indians
Tribal Council Meeting
Tribal Council Chambers
7500 Odawa Circle
Harbor Springs, MI 49740
August 21, 2014

Closed Session:

Call to Order: 9:07 a.m.

Opening Ceremony: Beatrice Law

Council Present:, Secretary Julia Shananaquet, , Councilor Bill A. Denemy,
Councilor John Keshick III, Councilor Beatrice A. Law, Councilor Michael
Naganashe, Councilor Aaron Otto,

Absent: Legislative Leader Regina Gasco Bentley, Treasurer Marcella Reyes,
Councilor Winnay Wemigwase

Legislative Office Staff Present: Legislative Office Manager Michele LaCount,
Treasury Director Michael Garrow, Legislative Office Assistant Tamara Kiogima

Executive Officials and Staff Present: Executive Services Attorney Dianne Vitols,

Public:

Invited Guests: William I. Denemy, Tribal Planner, Bryan Gillett and GIS Director,
Alan Proctor

9:14 a.m. Treasurer Reyes arrives

Motion made by Councilor Naganashe and supported by Councilor Law to adopt
the agenda of August 21, 2014, amended.

Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
Councilor Wemigwase)

Motion carried.

Motion made by Councilor Law and supported by Councilor Denemy to approve
the minutes of August 7, 2014 as presented.

Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
Councilor Wemigwase)

Motion carried.

9:16 a.m.: Elder comments – None at this time.

Executive Updates

1 Motion made by Councilor Otto and supported by Councilor Law to acknowledge
2 receipt of the Executive July Oversight Written Report and the verbal update
3 presented by Vice Chairperson DeLeon on August 21, 2014.

4 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
5 Councilor Wemigwase)

6 Motion carried.

7
8 **Legislative Leader Report** - No Report given

9
10 **Secretary Report**

11 The following Tribal Council approved/adopted documents were delivered to the
12 Executive:

13
14 TRIBAL RESOLUTION # 080714-01 Supplemental Funding in the Amount not to
15 exceed \$1,400.00 for Rehmann Services to come from prior period funds.
16 Delivered to the Executive Branch 081314 with a due back date of 09/12/14.

17
18 Vetoes: None to Report

19
20 Phone Polls:

- 21
22 • Phone Poll Conducted on 08/12/14 for the following purpose: To approve
23 the Agricultural Assessment Work Group request for draw down check
24 request from the Farm budget 1917 in the amount of \$5,000 (\$3,000) for
25 tractor repairs and (\$2,000) for miscellaneous farm supplies including the
26 wash station payable to Douglas Schlappi per contractual obligations. The
27 Legislative Leader, Legislative Office Manager or Tribal Treasurer shall be
28 the authorized signatory. Mr. Schlappi shall provide timely receipts for
29 expenditures. The phone poll passed: 8-Yes, 0-No, 0-Abstain, 1- Absent.

30
31 Motion made by Councilor Denemy and supported by Treasurer Reyes to accept
32 Secretary Shananaquet's verbal report as presented on August 21, 2014.

33 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
34 Councilor Wemigwase)

35 Motion carried.

36
37 **Treasurer Report**

38 Motion made by Councilor Naganashe and supported by Councilor Law to
39 accept Treasurer Reyes' verbal report as presented on August 21, 2014.

40 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
41 Councilor Wemigwase)

42 Motion carried.

43
44 **Tribal Council Travel Reports**

45 Motion made by Councilor Denemy and supported by Councilor Otto to accept
46 the verbal and/or written report of Secretary Shananaquet, Treasurer Reyes,

1 Councilor's Law, Councilor Naganashe as presented on August 21, 2014 for the
2 August 11-15, 2014 CDC, MAST and IHS meetings held in Traverse City, MI.
3 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
4 Councilor Wemigwase)
5 Motion carried.

6
7 10:01 a.m. Break

8 10:12 a.m. Resume

9
10 **10:12 a.m. Appellate Justice Interview – William I. Denemy**

11 Per request of William I Denemy, he would like to reschedule interview.

12 Motion made by Councilor Keshick and supported by Treasurer Reyes to table
13 the interview of William I. Denemy for the position of Appellate Justice and to
14 reschedule at the next Work Session and Tribal Council Meeting.

15 Vote: 6- Yes, 0-No, 1-Abstained (Councilor Denemy), 2–Absent (Legislative
16 Leader Gasco Bentley, Councilor Wemigwase)

17 Motion carried.

18
19 **Tribal Council Member Reports:**

20
21 **Gaming Authority Committee**

22 Next meeting to be held on Tuesday August 26, 2014

23 Request a change in the title position of Odawa Director of Finance to Odawa
24 Chief Financial Officer with no change to wage.

25 Motion made by Councilor Naganashe and supported by Councilor Keshick to
26 accept the verbal report of the Gaming Authority Committee as presented by
27 Councilor Otto, Committee Chairman.

28 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
29 Councilor Wemigwase)

30 Motion carried.

31
32 **Agriculture Assessment Work Group**

33 No meeting has been held since last Tribal Council meeting. AAWG has been
34 invited to attend a meeting in Wisconsin this week

35 Motion made by Treasurer Reyes and supported by Councilor Naganashe to
36 accept the verbal report of the Agriculture Assessment Work Group as presented
37 by Councilor Keshick, Committee Chairman.

38 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
39 Councilor Wemigwase)

40 Motion carried.

41
42 **Land and Reservation Committee**

43 Motion made by Councilor Law and supported by Treasurer Reyes to accept the
44 verbal report of the Land and Reservation Committee as presented by Councilor
45 Keshick, Committee member.

46 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
47 Councilor Wemigwase)

1 Motion carried.

2
3 **Legal Legislative Committee**

4 Motion made by Councilor Denemy and supported by Councilor Keshick to
5 accept the verbal report of the Legal Legislative Committee as presented by
6 Treasurer Reyes, Committee Secretary.

7 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
8 Councilor Wemigwase)

9 Motion carried.

10
11 **Ethics Committee** – No activity to report.

12 FYI :Next meeting will be held Wednesday August 27, 2014.

13
14 **Legislative Office Reports:**

15
16 **Treasury Director Report**

17 Motion made by Councilor Naganashe and supported by Treasurer Reyes to
18 accept Treasury Director Garrow's verbal and written report as presented on
19 August 21, 2014.

20 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
21 Councilor Wemigwase)

22 Motion carried.

23
24 **Legislative Services Attorney Report**

25 Motion made by Councilor Law and supported by Councilor Keshick to accept
26 Legislative Services Attorney Budnick's verbal and written report as presented on
27 August 21, 2014.

28 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
29 Councilor Wemigwase)

30 Motion carried.

31
32 **11:01 a.m. – 11:23 a.m. OEDMI 2nd Quarter Report – Bryan Gillett, Alan
33 Proctor**

34 Motion made by Councilor Law and supported by Treasurer Reyes to accept
35 verbal and written 2014 OEDMI Second Quarter Report as presented by OEDMI
36 Vice President, Bryan Gillett and President, Alan Proctor.

37 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
38 Councilor Wemigwase)

39 Motion carried.

40
41 **Enjinaaknegeng**

42 Motion made by Councilor Keshick and supported by Councilor Naganshe to
43 accept General Counsel Bransky's written report as presented on August 21,
44 2014.

45 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
46 Councilor Wemigwase)

47 Motion carried.

1 11:29 a.m. Break

2 11:41 a.m. Resume

3
4 **Legislative Office Manager**

5 Motion made by Councilor Law and supported by Treasurer Reyes to accept
6 Legislative Office Manager LaCount's and Legislative Assistant Kiogima's verbal
7 and written report as presented on August 21, 2014.

8 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
9 Councilor Wemigwase)

10 Motion carried.

11
12 **11:51 a.m. Public Comment – No comments**

13
14 **Action Items**

15 Motion made by Councilor Law and supported by Councilor Naganashe to pass
16 Amendment to Waganakising Odawak Statute 2011-008 Enjinaaknegeng.

17 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
18 Councilor Wemigwase)

19 Motion carried.

20
21 Motion made by Councilor Keshick and supported by Councilor Denemy to pass
22 Use of Legal for Purposes of Separation of Powers Questions Statute.

23 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
24 Councilor Wemigwase)

25 Motion carried.

26
27 Motion made by Councilor Keshick and supported by Councilor Naganashe to
28 pass Zibimijwang Allowable Cost Policy.

29 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
30 Councilor Wemigwase)

31 Motion carried.

32
33 Motion made by Councilor Naganashe and supported by Councilor Keshick to
34 approve the lease for the rental of 915 Emmet Street for 3 months to the Emmet
35 County Democratic Party as recommended by the Land and Reservation
36 Committee.

37 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
38 Councilor Wemigwase)

39 Motion carried.

40
41 Motion made by Treasurer Reyes and supported by Councilor Law to approve
42 the Michelle Chingwa Education Assistance Act.

43 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
44 Councilor Wemigwase)

45 Motion carried.

1 Motion made by Councilor Naganashe and supported by Councilor Denemy to
2 send the letter to the Village of Mackinaw City regarding the Pond Street Parcel,
3 Encroachment Permission and Liability as recommended by the Land and
4 Reservation Committee.

5 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
6 Councilor Wemigwase)

7 Motion carried.

8
9 12:09 p.m. Lunch

10 1:28 p.m. Resume

11
12 Motion made by Treasurer Reyes and supported by Councilor Law to not pursue
13 land parcel # 81 as recommended by the Land and Reservation Committee.

14 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
15 Councilor Wemigwase)

16 Motion carried.

17
18 Motion made by Councilor Denemy and supported by Councilor Law to approve
19 Certified Motion # 082114-01 Request for Funding from the State of Michigan,
20 Department of Human Services, Bureau of Juvenile Justice Community
21 Programming and Support Services, Child Care Fund Unit Child Care Fund
22 Intensive Probation.

23 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
24 Councilor Wemigwase)

25 Motion carried.

26
27 Motion made by Councilor Denemy and supported by Councilor Law to approve
28 Certified Motion # 082114-02 Request for Funding from the State of Michigan,
29 Department of Human Services, Bureau of Juvenile Justice Community
30 Programming and Support Services, Child Care Fund Unit Child Care Fund In-
31 Home Care.

32 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
33 Councilor Wemigwase)

34 Motion carried.

35
36 Motion made by Secretary Shananaquet and supported by Treasurer Reyes to
37 approve Certified Motion # 082114-03 Funding from the United States
38 Department of the Interior Bureau of Indian Affairs P.L. 93-638 Annual Funding
39 Agreement FY 2015 Contract.

40 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
41 Councilor Wemigwase)

42 Motion carried.

43
44 Motion made by Councilor Naganashe and supported by Treasurer Reyes to
45 approve Certified Motion # 082114-04 Request for Trust Acquisition of “910
46 Petoskey Street” Parcel in Emmet County, Michigan.

1 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
2 Councilor Wemigwase)
3 Motion carried.

4
5 Motion made by Councilor Law and supported by Councilor Naganashe to
6 approve Certified Motion # 082114-05 Request for Trust Acquisition of “Indian
7 Town 51-15-14-200-095” Parcel in Emmet County, Michigan.

8 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
9 Councilor Wemigwase)
10 Motion carried.

11
12 Motion made by Councilor Naganashe and supported by Councilor Law to
13 approve Certified Motion # 082114-06 Request for Trust Acquisition of “Indian
14 Town 51-15-14-200-100” Parcel in Emmet County, Michigan.

15 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
16 Councilor Wemigwase)
17 Motion carried.

18
19 Motion made by Treasurer Reyes and supported by Councilor Naganashe to
20 approve Certified Motion # 082114-07 Request for Trust Acquisition of “Indian
21 Town 51-15-14-200-089, 094, 099” Parcels in Emmet County, Michigan.

22 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
23 Councilor Wemigwase)
24 Motion carried.

25
26 Motion made by Councilor Naganashe and supported by Councilor Otto to
27 approve Certified Motion # 082114-08 Request for Trust Acquisition of
28 “Mackinaw 42-03-13-400-011” Parcel in Emmet County, Michigan.

29 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
30 Councilor Wemigwase)
31 Motion carried.

32
33 Motion made by Treasurer Reyes and supported by Councilor Denemy to
34 approve Certified Motion # 082114-09 Request for Trust Acquisition of “Mary
35 Louise Kishigo-Wall Memorial” Parcel in Emmet County, Michigan.

36 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
37 Councilor Wemigwase)
38 Motion carried.

39
40 Motion made by Councilor Law and supported by Secretary Shananaquet to
41 adopt Tribal Resolution Supplemental Funding in the Amount of \$206.25 for
42 Rehmann Services.

43 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
44 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-absent,
45 Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco
46 Bentley-absent

47 Motion carried.

1
2 Motion made by Councilor Denemy and supported by Treasurer Reyes to adopt
3 Tribal Resolution Lease and Revenue Assignment Authorization for 915 Emmet
4 Street.

5 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
6 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-absent,
7 Treasurer Reyes-yes, Secretary Shananaquet-yes, Legislative Leader Gasco
8 Bentley-absent

9 Motion carried.

10
11 Motion made by Councilor Law and supported by Councilor Otto to adopt Tribal
12 Resolution Supplemental Funding Request in the amount of \$75,000 for Burial
13 Program to come from prior period funds.

14 Roll call: Councilor Denemy-yes, Councilor Keshick-yes, Councilor Law-yes,
15 Councilor Naganashe-yes, Councilor Otto-yes, Councilor Wemigwase-absent,
16 Treasurer Reyes-yes, Secretary Shananaquet-no, Legislative Leader Gasco
17 Bentley-absent

18 Motion carried.

19
20 Motion made by Councilor Otto and supported by Councilor Law to post to the
21 Legislative Calendar the Amendment to WOS 2010-021 Gaming Delegation and
22 Authority Statute to the Legislative Calendar sponsored by the Gaming Authority
23 Committee.

24 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
25 Councilor Wemigwase)

26 Motion carried.

27
28 **1:57 p.m. Public Comment – No comments**

29 **1:58 p.m. Public Comment - Closes**

30
31 Motion made by Treasurer Reyes and supported by Councilor Law to table the
32 tentative closed session for personnel.

33 Vote: 7- Yes, 0-No, 0-Abstained, 2–Absent (Legislative Leader Gasco Bentley,
34 Councilor Wemigwase)

35 Motion carried.

36
37 **Other Items:**

38 Councilor Keshick Condition of Beaver Island documents

39 Secretary Shananaquet advised councilor of her error in vote regarding 915
40 Emmet Street.

41
42 **Adjournment**

43 2:07 p.m. Motion made by Councilor Denemy and supported by Treasurer Reyes
44 to adjourn meeting.

45 Vote: 6- Yes, 1-No (Councilor Otto), 0-Abstained, 2–Absent (Legislative Leader
46 Gasco Bentley, Councilor Wemigwase)

47 Motion carried.

Next Scheduled Meeting
September 11, 2014

Please contact the Legislative Office at 231-242-1403, 231-242-1404 or 231-242-1406 for additional updates and clarifications of these minutes as presented.

These Minutes have been read and approved as written (or) corrected: (delete either the word “written” or “corrected” as pertains to how the minutes were approved.)

Julia A. Shananaquet, Tribal Council Secretary

Date _____